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2177

PTO/SB/21 (08-03)

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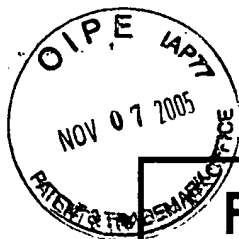
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/932,579	
	Filing Date	Aug 17, 2001	
	First Named Inventor	Chen, Ray	
	Art Unit	2177	
	Examiner Name	Wong, L.	
Total Number of Pages in This Submission	9+	Attorney Docket Number	103.1073.01

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (2 copies) <input checked="" type="checkbox"/> Fee Attached (PTO Form 2038 - 2 copies) <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form SB08A PTO Form SB08B Copies of References Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Steven A. Swernofsky	Reg. No. 33,040
Signature		
Date	11-4-2005	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Signature		Date	11/4/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



22883

PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**180.00****Complete if Known**

Application Number	09/932,579
Filing Date	8/17/2001
First Named Inventor	Chen, et al.
Examiner Name	Wong, L.
Art Unit	2177
Attorney Docket No.	103.1073.01

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number  
Deposit Account Name

50-0365

Swernofsky Law Group PC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20**=	X	
Multiple Dependent	-3**=	X	

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	**Reissue independent claims over original patent
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	\$180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)**180.00****SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Steven A. Swernofsky	Registration No. (Attorney/Agent)	33,040	Telephone	650-947-0700
Signature	<i>SA Swernofsky</i>			Date	11-4-2005

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22883

Attorney Docket 103.1073.01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chen

Serial No. 09/932,579

Filed: 8/17/2001

For: Manipulation of Zombie Files and Evil-Twin Files

Art Unit: 2177

Examiner: Wong, L.

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to:

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Date Name

**INFORMATION DISCLOSURE STATEMENT**

Honorable Commissioner  
for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted under:

- ☐ 37 CFR 1.97(b)  
(Within three months of the national application filing or the entry of international application, OR before the mailing date of first Office Action, whichever occurs last.)
- ☒ 37 CFR 1.97(c) together with either a:  
☐ Statement under 37 CFR 1.97(e)  
or ☒ \$180.00 fee set forth in 37 CFR 1.17(p)  
(After the CFR 1.97(b) time period, but before final Office Action or Notice of Allowance, whichever occurs first.)
- ☐ 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e)  
and ☐ \$180.00 fee set forth in 37 CFR 1.17(p)  
(After the CFR 1.97(c) time period, but before payment of the Issue fee.)

11/08/2005 ZJUHR1 00000006 09932579

01 FC:1806

180.00 0P

**List of Documents**

Applicant(s) submits herewith:

- ☒ Form PTO SB/08A (Information Disclosure Statement by Applicant) listing patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.
- ☒ Form PTO SB/08B (Information Disclosure Statement by Applicant) listing non-patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.

**Copies of Documents**

- ☐ Applicant(s) submits herewith copies of all listed documents.
- ☐ Copies of the listed documents are not included with this filing. Copies of these documents were previously submitted in the following related application:

Docket No.: \_\_\_\_\_  
 Serial No.: \_\_\_\_\_  
 Filed: \_\_\_\_\_

THE EXAMINER IS ENCOURAGED AND EXHORTED TO MAKE HIS OR HER OWN INDEPENDENT EVALUATION OF POSSIBLE RELEVANCE OF THE LISTED DOCUMENTS.

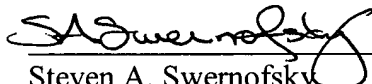
At the present time, Applicant(s) submits that the listed document(s), taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

In the event fees are required, authorization is hereby granted to charge these fees to Deposit Account No. 50-0365.

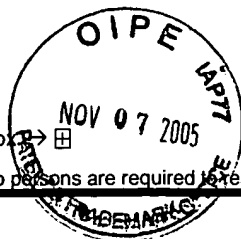
It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

Date: 11-4-2005

  
 Steven A. Swernofsky  
 Reg. No. 33,040

Swernofsky Law Group  
 P.O. Box 390013  
 Mountain View, CA 94039-0013  
 (650) 947-0700



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PTO/SB/08A (08-00)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

1

Complete if Known

Application Number	09/932,579
Filing Date	8/17/2001
First Named Inventor	Chen
Group Art Unit	2177
Examiner Name	Wong, L.
Attorney Docket Number	103.1073.01

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	5,317,728	A	Tevis et al.	05-31-1994	
	2	5,403,639	A	Belsan et al.	04-04-1995	
	3	5,557,747	A	Rogers et al.	09-17-1996	
	4	5,832,522	A	Blickenstaff et al.	11-03-1998	
	5	5,946,685	A	Cramer et al.	08-31-1999	
	6	5,991,753	A	Wilde	11-23-1999	
	7	5,996,054	A	Ledain et al.	11-30-1999	
	8	6,101,508	A	Wolff	08-08-2000	
	9	6,112,211	A	Bradshaw et al.	08-29-2000	
	10	6,173,293	B1	Chandramohan et al.	01-09-2001	
	11	6,247,024	B1	Kincaid	06-12-2001	
	12	6,249,792	B1	Zwilling et al.	06-19-2001	
	13	6,289,356	B1	Hitz et al.	09-11-2001	
	14	6,353,878	B1	Dunham	03-05-2002	
	15	6,529,921	B1	Berkowitz et al.	03-04-2003	
	16	6,751,635	B1	Chen et al.	06-15-2004	
	17	2002/0089508	A1	Sowizral et al.	07-11-2002	
	18	2005/0033775	A1	Chen et al.	02-10-2005	

**FOREIGN PATENT DOCUMENTS**

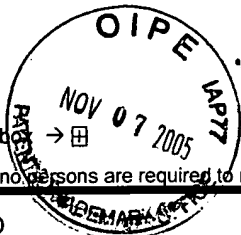
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
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Sheet

1

of

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Application Number	09/932,579
Filing Date	8/17/2001
First Named Inventor	Chen
Group Art Unit	2177
Examiner Name	Wong, L.
Attorney Docket Number	103.1073.01

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	CHUNG ET AL. "Checkpointing in CosMiC: a User-level Process Migration Environment." IEEE, 1997, pp. 187-193.	
	2	ELNOHAZY ET AL. "A Survey of Rollback-Recovery Protocols in Message-Passing Systems." ACM Computing Surveys, September 2002, pp. 375-408, vol. 34, no. 3.	
	3	OTT ET AL. "SRED: Stabilized RED." Proceedings of INFOCOM, 1999, pp. 1-10, Bellcore and Bell Laboratory.	
	4	RODRIGUEZ ET AL. "A New Checkpoint Mechanism for Real Time Operating Systems." ACM SIGOPS Operating Systems Review, October 1997, pp. 55-62, vol. 31, iss. 4, ACM Press, New York, NY.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.